



UNITED STATES
HOUSE OF REPRESENTATIVES

March 31, 2020

The Honorable David S. Ferriero
Archivist of the United States
National Archives and Records
Administration
700 Pennsylvania Avenue NW
Washington, DC 20408

Matthew T. Albence
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Gary M. Stern
General Counsel
National Archives and Records
Administration
700 Pennsylvania Avenue NW
Washington, DC 20408

Tony H. Pham
Principal Legal Advisor
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Dear Mr. Ferriero, Mr. Albence, Mr. Stern and Mr. Pham:

I write to urge you not to proceed with Immigration and Customs Enforcement's document destruction schedule. By law, the National Archives and Records Administration may only approve an agency's proposed document destruction schedule if the documents "do not, or will not after the lapse of the period specified, have sufficient administration, legal, research or other value to warrant their continued preservation by the Government."¹ As a Member of Congress, I rely on access to Immigration and Customs Enforcement's (ICE) records that, under the schedule, would be destroyed this year to conduct oversight of the agency's activities. Because the records continue to have legal and research value to Members of Congress, you must not move forward with the schedule of document destruction.

Without access to the records set to be destroyed under ICE's plan, it would be impossible to fulfill my obligation to hold ICE accountable for abuse and mistreatment of its detainees. ICE's document destruction schedule would allow the agency to destroy documentation of detainee deaths, sexual assault and abuse, civil rights violations, inhumane solitary confinement practices and violations of its own detention standards. As a Member of Congress, holding ICE accountable for such abuses is an important part of my job, and I cannot effectively do my job if

¹ 44 U.S.C. § 3303(3)

MARK POCAN
2ND DISTRICT, WISCONSIN

COMMITTEE ON APPROPRIATIONS
SENIOR WHIP



10 EAST DOTY STREET, SUITE 405
MADISON, WI 53703
(608) 258-9800

1421 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2906

POCAN.HOUSE.GOV

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ICE and NARA move forward with destroying these documents. I urge you to abandon the document destruction schedule.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Pocan', with a stylized flourish at the end.

Mark Pocan
Member of Congress